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RHEFDIA/DIA WASHDC PRIORITY
RUEKJCS/JOINT STAFF WASHDC PRIORITY
RHMFISS/USCENTCOM INTEL CEN MACDILL AFB FL PRIORITY
RUEHNO/USMISSION USNATO BRUSSELS BE PRIORITY
RUEHVEN/USMISSION USOSCE PRIORITY 1834
RUCNDT/USMISSION USUN NEW YORK PRIORITY 1217
RUEKJCS/SECDEF WASHDC PRIORITY
RUEHBS/USEU BRUSSELS PRIORITY
RUEKJCS/OSD WASHDC PRIORITY

C O N F I D E N T I A L SECTION 01 OF 02 BISHKEK 000419

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TAGS: [PGOV](#) [KCRM](#) [KCOR](#) [PREL](#) [KDEM](#) [KG](#)
SUBJECT: KYRGYZ MOB FIGURE MOVES ONE STEP CLOSER TO
PARLIAMENT BID

REF: A. 05 BISHKEK 1555
[1](#)B. 05 BISHKEK 1572

Classified By: Ambassador Marie L. Yovanovitch, reasons 1.4 (b) and (d)

[1](#)1. (SBU) SUMMARY: On March 21, the Central Election Commission (CEC) announced that it had approved the candidate registration of notorious mob figure Ryspek Akmatbayev, who is seeking to run for parliament. The CEC decision clears the way for Akmatbayev to run for the seat left vacant when his brother, Tynychbek Akmatbayev, was killed in October of 2005 (reftel a). The CEC decision also ended a farcical round of "pass the political hot potato" in which the CEC, Supreme Court and Parliament all sought to avoid making any kind of decision on the legality of Akmatbayev's candidate registration. Now legally registered, most observers and many parliamentarians expect Akmatbayev to easily win a seat in parliament on April 9. END SUMMARY.

THE BUCK STOPS SOMEWHERE ELSE

[1](#)2. (SBU) The decision by the CEC to register Akmatbayev as a candidate ended a months long debate over the legality of his candidate registration. It also ended a farcical round of "pass the political hot potato" in which the CEC, Supreme Court and Parliament all sought to avoid making any kind of decision on the legality of Akmatbayev's candidate registration. Instead, each in turn claimed it lacked the authority to decide the issue, which eventually ended back where it started at the CEC.

[1](#)3. (SBU) Although the law prohibits convicted felons from running for parliament, Akmatbayev claimed that an April 2004 general amnesty had wiped his record clean. (NOTE: Akmatbayev was convicted of illegal weapons possession in 1998, and sentenced to three years in prison. He received a medical exemption, however, and ended up serving no time in prison. END NOTE). After trying its best to avoid making any kind of decision on Akmatbayev's registration, the CEC finally agreed with him, and refused to reverse the decision by the Balikchy District Election Commission, which had initially registered him as a candidate.

CIVIL SOCIETY STRIKES BACK?

14. (SBU) The CEC's decision remains a controversial one. In late February, the Ministry of Internal Affairs issued a statement claiming that Akmatbayev was ineligible to run for parliament owing to his previous conviction. On March 20, the local NGO Coalition for Democracy and Civil Society, which has long been a vocal critic of Akmatbayev, issued a statement urging the CEC to deny Akmatbayev's registration on legal grounds. An elections expert with the International Federation for Electoral Systems (IFES) also told the Embassy that the CEC ruling contradicts the Electoral Code, which clearly prohibits Akmatbayev from running.

15. (SBU) This may not, however, be the end of the saga. On March 23, Baisalov told the Ambassador that the Coalition is considering lodging a complaint with the CEC, so that it will be forced to make another ruling. He added that a number of his colleagues oppose taking this step as they are afraid of what Ryspek might do in retaliation.

PARLIAMENT AWAITS A NEW POLITICAL BOSS

16. (C) The mood inside parliament, downbeat since the removal of former speaker Omurbek Tekebayev, now appears resigned to the imminent arrival of Akmatbayev as a new colleague. One parliamentary staffer told PolOff that among parliamentarians there was no longer any active resistance or impassioned indignation evident, even behind closed doors, regarding Akmatbayev becoming a deputy. Likewise, the staffer said, it was clear that once Akmatbayev wins his

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election handily and arrives in parliament, he will not be a minor figure, but will immediately be welcomed and recognized as a major political power broker.

COMMENT

17. (C) During a press conference on March 23, President Bakiyev said he does not want to violate the independence of the court system and interfere in the Akmatbayev case. Those around him, including Justice Minister Kayipov and Presidential Advisor Valentin Bogatyrev whisper to us that Bakiyev does not want Akmatbayev to run. Former Foreign Minister Muratbek Imanaliev told PolOff that although Bakiyev doesn't want to see Akmatbayev in the Parliament, Bakiyev is unsure of how to deal with the mobster and is unwilling to confront him) either out of fear or because he is somehow beholden to him. Should Akmatbayev become a deputy - and thus acquire the immunity that comes with the job - it will become even harder for Bakiyev to find a legal way to sideline him. A number of interlocutors, including Bogatyrev, Chinara Jakypova and Marat Tazabekov (Head of the influential AkiPress News Agency) have even suggested that Akmatbayev will be rubbed out before he ends up in Parliament. (NOTE: three of Akmatbayev's close associates have been killed in the last month) although there are also suggestions Akmatbayev himself knocked them off because they "knew too much" about his sordid past. END NOTE).

18. (C) The CEC has never been one to let the law get in the way of its legal verdicts. The CEC decision almost certainly means that it received orders from above to approve Akmatbayev's registration. Given Akmatbayev's very high profile and alleged links to the government and President Bakiyev's family, there is little chance that the Presidential Administration would have left the CEC alone to rule on this case. Akmatbayev almost definitely helped the process along too by buying off and/or intimidating the CEC into voting his way.

19. (C) The real significance of the CEC decision is that it puts Kyrgyzstan's most feared man one step closer to a seat

in parliament. Given his wealth and genuine popularity in Balikchy (where he is viewed as a Robin Hood figure), there is little doubt that he will win on April 9. The CEC decision also casts more doubt on the government's ability and willingness to confront organized crime in general, and Akmatbayev in particular. On March 28 the Ambassador will send a letter to President Bakiyev, expressing U.S. concern over the Kyrgyz government's apparent willingness to allow Akmatbayev's candidacy, and the signals this sends regarding the government's commitment to democracy and rule of law.

YOVANOVITCH